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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,690	11/25/2003	Shin Torigoe	OKI 390	3041
23995	7590	01/06/2006	EXAMINER	
RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005			ISMAIL, SHAWKI SAIF	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 01/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/720,690	Applicant(s) TORIGOE ET AL.	
	Examiner Shawki S. Ismail	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3-29-2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the application filed on November 25, 2003. Claims 1-22 are presented for examination.

Applicant's claim for foreign priority is hereby acknowledged

References in applicant's IDS form 1449 have been considered.\

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 11 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear from the claim language the importance of the "notification message issue number" and how it relates to the actual message notification.

Claim Rejections - 35 USC §102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 122, are rejected under 35 U.S.C. 102(e) as being anticipated by **Freivald et al.**, (Freivald) U.S. Patent No. **5,898,836**.

5. As to claim 1, Freivald teaches an update notification device for repeatedly accessing at least one Web site identifiable with a preset address and outputting a notification message including the presence or absence of the update to the outside if any web page has been updated in the Web site, the device comprising:

updated data extracting means for extracting updated data from the updated Web page (col. 6, lines 20-31, the software tool retrieves files and compares the file to an archived checksum of the file to determine if a change has occurred); and

updated data output means for, in outputting, adding to the notification message one or both of the header of the updated data and the updated data and the address of the Web page (col. 6, lines 20-31, if a change is detected then the user is notified and a copy of the new file may be attached).

6. As to claim 2, Freivald teaches an update notification device according to claim 1, wherein the updated data extracting means extracts the updated data from the differential information piece in character or line between the previous data and latest data of the Web page (col. 1, lines 41-47, col. 2, lines 17-21, col. 7, lines 1-17).

7. As to claim 3, Freivald teaches an update notification device according to claim 2, wherein the updated data extracting means has means for converting the updated data to a main passage when the size of the differential information piece is equal to or more than a predetermined threshold value (col. 12, lines 48-56).

8. As to claim 4, Freivald teaches an 4. An update notification device according to claim 1, wherein the updated data extracting means extracts the updated data from a differential information piece of a part determined by a template held in advance in accordance with the Web page (col. 1, lines 41-47, col. 2, lines 17-21, col. 7, lines 1-17).

9. As to claim 5, Freivald teaches an update notification device according to claim 4, wherein the updated data extracting means has means for converting the updated data to a main passage when the size of the differential information piece is equal to or more than a predetermined threshold value (col. 12, lines 48-56).

10. As to claim 6, Freivald teaches an update notification device according to claim 1, further comprising:

notification-receiver's address holding means for holding the address of a user terminal for receiving an update notification with respect to each of the at least one Web site (see Fig. 4, col. 6, lines 32-46),

wherein the updated data output means sends a notification message having the updated data to the address of the user terminal with respect to each of the at least one Web site (see Fig. 4, col. 6, lines 55-67).

11. As to claim 7, Freivald teaches an update notification device according to claim 6, wherein the notification-receiver's address holding means further has means for holding at least one keyword with respect to the address of the user terminal, wherein the updated data extracting means has means for removing the differential information

piece from the updated data when the differential information piece does not include the held keyword (col. 7, lines 1-16).

12. As to claim 8, Freivald teaches an update notification device according to claim 6, wherein the notification-receiver's address holding means further has means for holding at least one keyword with respect to the address of the user terminal (col. 7, lines 1-16),

wherein the updated data extracting means has means for compiling the rank, which indicates the degree-of-attention of the Web page, in accordance with the frequency of occurrence of updated data having a keyword corresponding to each of the entire user terminals (col. 12, lines 48-56).

13. As to claim 9, Freivald teaches an update notification device according to claim 1, wherein the updated data output means has means for creating the notification message in accordance with a predetermined template before the output of the notification message (col. 12, lines 33-41).

14. As to claim 10, Freivald teaches an update notification device according to claim 1, wherein the updated data output means has means for creating the title of the notification message from the updated data (col. 12, lines 33-41).

15. As to claim 11, Freivald teaches an update notification device according to claim 10, wherein the updated data output means has means for giving, to the title of the notification message, a notification message issue number incremented for each output or each of the notification-receivers' addresses (col. 12, lines 33-41).

16. As to claims 12-22, they do not teach or define any new limitation above claims 1-11; therefore, they are rejected for similar reasons.

17. **Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

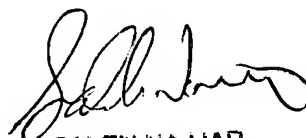
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
December 26, 2005



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER